

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of  
  
Jeanette Price  
  
Respondent

Civil Citation No. 67973  
  
1013 Sumter Avenue

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on November 18, 2009, for a Hearing on a citation for violations of the Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01.1A, 1B01.1D, 428, failure to cease use of property as an open dump, failure to cease outside storage of an untagged vehicle on residential property zoned DR 5.5 known as 1013 Sumter Avenue, 21237.

On October 20, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Christina Frink issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$800.00 (eight hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on September 15, 2009 for removal of untagged/inoperative motor vehicles, remove open dump/junk yard, remove trash and debris, cut and remove tall grass and weeds. This Citation was issued on October 20, 2009.

B. Photographs in the file show lumber and old railings and other wood debris piled in the yard and against the house. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. BCC Section 13-7-312.

C. Photographs in the file show a blue van with no license plates. County zoning regulations prohibit the outside storage of inoperative motor vehicles on a residential lot. BCZR Section 428.1(A). The outside storage of unlicensed motor vehicles is also prohibited, except for one vehicle per dwelling unit for a period not exceeding 15 days in any calendar year. Section 428.1(B). Respondent has exceeded this limitation. Respondent must put valid tags on the vehicle and make it operable, or remove it from the property.

D. Because compliance is the goal of code enforcement, the civil penalty will be reduced if the violations are corrected within the time provided below. If the violations are not corrected, the full civil penalty shall be imposed, Respondent will be subject to additional Citation, and the County will be authorized to remove the untagged vehicle, at Respondent's expense.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$800.00 (eight hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if the violations are corrected by December 15, 2009.

IT IS FURTHER ORDERED that after December 15, 2009, the County may enter the property for the purpose of removing the untagged vehicle, at Respondent's expense.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 25<sup>th</sup> day of November 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer